



DEPARTMENT OF THE ARMY
OFFICE OF THE JUDGE ADVOCATE GENERAL
2200 ARMY PENTAGON
WASHINGTON, DC 20310-2200

REPLY TO
ATTENTION OF:

DAJA-ZA

2 June 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: TJAG Policy on Location, Supervision, Evaluation, and Assignment of Judge Advocates in Modular Force Brigade Combat Teams

1. General. This policy addresses Judge Advocates (JAs) assigned to modular force Brigade Combat Teams (BCTs). Guidance regarding JAs assigned to Support Brigades will be issued separately. This policy is effective as of 15 July 2005. Suggested changes should be forwarded to OTJAG, ATTN: PPTO. NOTE--Use of the term *Staff Judge Advocate* (SJA) in this policy refers to the SJA servicing a BCT's General Court-Martial Convening Authority (GCMCA) at home station or while deployed.

2. Background.

a. Under the modular force design, the BCT is the building block of land combat power. One of the BCT's unique capabilities will be its ability to operate as an autonomous unit, independent of the standard command and control relationship between a division and an organic brigade. Consistent with the modular concept, a BCT may operate as a self-contained task force, or it may "fall in" on a higher headquarters element, perhaps even one from a different home station. This so-called "plug and play" concept and the Army's brigade-centric approach will have a number of impacts on the JAG Corps.

b. First, as described above, legal personnel assigned to BCTs must be prepared to fall in on a higher headquarters with which they have no habitual relationship. In those cases, uniformity and consistency of practice will be essential. To this end, BCT legal sections, wherever located, must have uniform operating systems in place that will allow them to seamlessly transition from one operational setting, and one headquarters, to another. Second, given the Army's focus on brigades, there will be a shift in responsibility for the delivery of legal support from the corps and division SJA Offices to the Brigade Operational Law Team (BOLT). Accordingly, the BCT will include a Brigade Judge Advocate (Brigade JA), normally a Major, and an Operational Law Judge Advocate (OPLAW JA), a Captain, who will accomplish many of the BCT's Operational Law functions.

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c. This policy establishes uniform standards applicable to JAs assigned to BCTs. I expect JAs at every echelon to display the motivation, professionalism, and dedication to duty that are the hallmarks of our Corps as we work together to implement this policy and adapt to our new force structure. This requirement and those relationships will be items of special interest during future Article 6 visits.

3. Duty location and working relationships. Both the Brigade JA and the OPLAW JA are assigned to the BCT; therefore, both officers will work at their assigned Brigade headquarters. Both officers will, however, maintain a continuing and effective working relationship with the Office of the Staff Judge Advocate (OSJA). Although the OPLAW JA is not assigned to the main OSJA Military Justice Section, he or she will routinely perform Trial Counsel duties for the BCT. Accordingly, the OPLAW JA will coordinate and work with the Chief, Military Justice, on important military justice matters.

4. Supervisory chain. The Brigade JA is a member of the BCT Commander's personal and special staff, with a direct line of communication to the BCT Commander. The SJA will provide technical guidance to the Brigade JA and the OPLAW JA, as necessary; however, supervision of the Brigade JA's routine, day-to-day duties will be as determined by the BCT Commander. The OPLAW JA will be supervised by the Brigade JA.

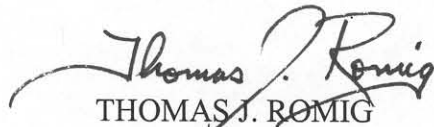
5. Rating scheme. The rating scheme for Judge Advocates assigned to BCTs will be IAW AR 623-105, para. 2-3. Accordingly, the Brigade JA should be rated by the BCT Executive Officer, intermediately rated by the SJA, and senior rated by the BCT Commander. Likewise, the OPLAW JA should be rated by the Brigade JA, intermediately rated by the SJA or Deputy SJA, and senior rated by the BCT Commander. These are the desired rating schemes which are designed to ensure Judge Advocates receive both leadership and mentoring from their unit chain of command as well as technical guidance on legal issues from a senior Judge Advocate. The rating scheme outlined herein is intended to accomplish these goals, while providing maximum flexibility to the BCT JA's chain of command. I understand that variations may be necessary. However, we must ensure, to the maximum extent practicable, that a Judge Advocate is in the rating scheme of the officer concerned.

6. Length of assignments. Ordinarily, the Brigade JA will be assigned to the BCT for 36 months. The tour length of the OPLAW JA will be determined based upon the professional developmental needs of the officer. OTJAG (PPTO) may adjust the lengths of these assignments based on the needs of the Army, the JAG Corps, and the officer concerned.

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7. Conclusion. Change always presents challenges; however, I am certain that every member of our Corps will quickly adapt as we continue to provide world-class legal support to our Army, our Soldiers, and our nation. As the Army transforms, the JAG Corps will lead the way, and, as always, our great Soldiers will set the standard for others to follow.

A handwritten signature in black ink, reading "Thomas J. Romig". The signature is fluid and cursive, with the first name "Thomas" and last name "Romig" clearly legible. The middle initial "J." is smaller and positioned between the first and last names.

THOMAS J. ROMIG

MG, USA

The Judge Advocate General

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